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SPECIAL POLITICAL COMMITTEE

41st meeting

held on

Wednesday, 30 November 1983

at 3 p.m.

New York

UN/SA COLLECTION

SUMMARY RECORD OF THE 41st MEETING

Chairman: Mr. RODRIGUEZ MEDINA (Colombia)

later: Mr. STARČEVIĆ (Yugoslavia)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 69: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS OF THE SECRETARY-GENERAL (continued) (A/38/262, 409, 481, 482, 483, 484)

1. Mr. SHAH (Pakistan) said that Israel was disregarding all norms governing human behaviour, while pursuing a policy of aggression, expansion, occupation and oppression. Despite the provisions of the Fourth Geneva Convention of 1949, which was the internationally accepted code of conduct prescribed for an occupying country, Israel was continuing to subject the Palestinians to a variety of forms of unlawful treatment. The invasion of Lebanon, the cruel acts perpetrated at Beirut and the brutal massacres of Palestinians, particularly at the camps of Shatila and Sabra, had added yet another ignominious chapter to the shameful record of Israeli atrocities. The harassment of the Palestinian population of the occupied territories formed part of a policy based on the concept of "Lebensraum", in pursuit of which Israel was willing to go to any lengths. In flagrant violation of article 49 of the Fourth Geneva Convention, which prohibited forcible transfers from occupied territory, thousands of Palestinians had been deported. The same article expressly prohibited the occupying Power from transferring parts of its civil population into the territory it occupied, and yet thousands of Israelis had been officially and illegally settled in the areas in question and over 60 per cent of the land in the West Bank had been occupied. The United Nations, including the Security Council, had declared that those settlements had no legal validity and constituted a serious impediment to the peace process in the Middle East.

2. According to the report of the Special Committee, on a parallel with those illegal settlement and annexationist policies, the day-to-day life of the civilian population of the occupied territories was being rendered more and more difficult through a variety of measures affecting virtually all aspects of life. He wished to point out that Israel's illegal and inhuman practices in the occupied territories were calculated to force the Palestinians either to leave their homeland or to accept the denial of their national identity, with the sole objective of foisting "eretz Yisrael" on the Palestinian people.

3. If those practices were pursued, there would be continued violence, instability and turmoil in one of the most strategic regions of the world. Having recognized that fact, the international community had concluded that the violation of human rights in the occupied territories would cease only once the Palestinian people had been permitted to exercise their right to self-determination. Pakistan had therefore consistently supported the call for Israeli withdrawal from all the occupied territories and the return of the Palestinians to their homeland in order to enable them to exercise that right. Meanwhile, it was incumbent upon Israel to see that its policies and action were in conformity with the Fourth Geneva Convention, which remained the principal international humanitarian law instrument applicable to the occupied territories.

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4. Mr. LAPITSKI (Ukrainian Soviet Socialist Republic) said that the report of the Special Committee showed that, despite the appeals made by the United Nations, the Israeli authorities were continuing to implement expansionist and genocidal policies. Israel was attempting to annex the occupied Arab territories, as could be seen from the inclusion of East Jerusalem in Israeli territory and the annexation of the Golan Heights. It was currently engaged in a campaign to colonize the West Bank and the Gaza Strip and was systematically driving the Palestinians off their land and establishing settlements. The Zionists had prepared a plan for the settlement of Palestinian Arab land covering the period up to the year 2000, and it was anticipated that by that time in the West Bank alone the Israeli population would have exceeded the level of 1.3 million people and would be comparable in size to the Arab population of the territories in question.

5. As part of the economic take-over of Palestinian territory in the occupied territories, the Arabs were being driven off the most fertile land, their homes were being destroyed and they were being denied access to water, whereas the Israelis were engaged in plundering the territories' natural resources and were arrogating to themselves the right to control economic life there. The occupiers were violating the civil rights and freedoms of the population of the occupied territories. To achieve their ends the authorities were resorting to frequent curfews, the closure of educational establishments, the expulsion of teaching staff, repressive measures and mass arrests. Such acts of terrorism directed against the Arabs were giving rise to violence, making innumerable victims among the Arab civil population. In view of the seriousness of the situation resulting from Israeli action in the occupied Arab territories, the question had been brought before the Security Council twice in the current year. The conclusions reached at the International Conference on the Question of Palestine and the report of the Special Committee once again provided irrefutable proof that Israel's policies in the occupied territories were violating basic principles of international law, as well as the Geneva Convention of 1949.

6. The international community strongly condemned the invasion of Lebanon and the murderous acts perpetrated on the population of the camps of Sabra and Shatila, which had already claimed the lives of over 70,000 Lebanese. Israel was attempting to divide Lebanon in order to continue to occupy a major portion of Lebanese territory indefinitely, and in so doing it was taking advantage of assistance and protection from the United States, with which it was maintaining links based on a strategic co-operation agreement. Israeli expansion would not be possible without the enormous economic and financial assistance given to Israel by the United States, which was moreover hindering the adoption of effective measures in the Security Council and thus supporting and defending Israel's policies of subjugation and annexation. Furthermore, the United States was using Israel as an instrument for its policy of direct military intervention in the Middle East.

7. The acts in question would have a serious impact on peace and the freedom of peoples throughout the world, as recently demonstrated by the acts of aggression of which Grenada had been the victim. The Ukrainian SSR condemned the policies of annexation, colonization and massive repression in which Israel was engaging, called upon Israel to put an end to those criminal practices, condemned the acts of those who were protecting the occupying aggressors and was convinced that the liberation movement of the Arab people of Palestine would inevitably find the

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(Mr. Lapitski, Ukrainian SSR)

necessary strength to overcome the difficulties they were currently facing and would continue to be an effective and active factor in the struggle against imperialism in the Middle East. Furthermore, it was convinced that the question of the Middle East could only be settled in the context of the unconditional withdrawal of Israeli troops from the occupied territories and recognition of the inalienable rights of the Palestinian people, as well as the convening of a conference, under United Nations auspices, in which all the parties concerned, including the PLO, participated.

8. Mr. AMARI (Tunisia) said that the situation in the occupied Arab territories was taking on alarming proportions and that the constant violations of the human rights of the population of those territories meant that it was a matter of urgency that the international community should take steps to put an end to a tragedy that was undermining international peace.

9. With the aid of facts and figures, the report of the Special Committee once again showed what a serious matter Israeli practices in the occupied territories were. The Special Committee was aware of the intolerable situation that continued to prevail in the occupied Arab territories and the Holy City of Al Quds. Israel was pursuing its policy of annexing the occupied territories and driving out the local population and was systematically violating human rights and the most fundamental norms of international law. For over 15 years of military occupation, the Palestinians had been the victims of wars, repression and a variety of forms of maltreatment. Their land was being expropriated, their natural resources were being exploited, particularly their water, the number of acts of violence against Arab civilians was increasing, detention and restrictions on freedom of expression and information were the rule, rather than an exception, and the Holy City of Al Quds, which was regarded as one of the most precious treasures of mankind, had been annexed in violation of the Charter of the United Nations and the resolutions of the General Assembly and the Security Council.

10. Israel's policy went even further: it affected not only the destiny of an entire people but also that which they held to be most sacred and profound, namely, their faith and their spiritual heritage. Both the General Assembly and the Security Council had adopted numerous resolutions prohibiting any measure directed towards the annexation of Jerusalem or the modification of its status. Unfortunately, those resolutions remained a dead letter. In March 1979, the Security Council had adopted resolution 446 which had affirmed once more that the fourth Geneva Convention was applicable to the Palestinian and Arab territories occupied since 1967, including Jerusalem, and that the settlements established by Israel in those territories had no legal validity. The same resolution had called upon Israel to desist from taking any action which would result in changing the legal status and geographical and demographic nature of the occupied territories and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories. In addition, the Security Council had established a commission to examine the situation relating to settlements in the occupied Arab territories. After considering the report of that commission, the representative of Israel had stated that the Jewish people and the State of Israel had had the right to be present in Judea, Samaria and the Gaza Strip and that Israel, more than

(Mr. Amari, Tunisia)

any other country, had had the right to all the territory west of Jordan formerly under the Palestine mandate. That had applied in particular to Jerusalem, the eternal capital of Israel and of the Jewish people.

11. The acts committed by Israel in the area confirmed the arrogance of such statements. While adducing fallacious arguments, Israel was continuing to establish Jewish settlements on lands belonging to others. Its systematic challenging of the international conscience was reflected in plans and strategies that were no secret to anyone, and he read out several Israeli publications and statements by Israeli officials which showed that the objective was to make the occupation irreversible. Israel's argument to the effect that its security depended on the establishment of settlements in the Arab and Palestinian territories could not withstand scrutiny. It constituted a groundless pretext designed to justify its expansionist policy. As early as 1973, Ariel Sharon had stated that Israel had been a military super-Power, and the bloodshed that had occurred in Lebanon nine years later had again confirmed that Israel was a military Power and had nothing to fear from its neighbours. However, it continued its acts of aggression against them for expansionist reasons.

12. The situation in the other occupied territories was no less alarming: since 1967, Israel had been applying an implacable policy directed towards changing the legal status, the geographical nature and the demographic composition of the territories. It was also establishing new settlements and was expropriating land, preferably the most fertile land. Moreover, Israel was resorting to less direct methods, such as controlling water resources, seizing private property, demolishing houses and expelling their inhabitants, who were constantly being subjected to pressure to emigrate and to give up their place to new settlers. Moreover, the settlers were being given incentives to establish the settlements. There was a long series of acts that were contrary to the provisions of the Charter, to the principles of international law and to the Universal Declaration of Human Rights. The Government of Israel must understand that peace and security could be built only on the basis of respect for human rights and human dignity and on observance of the most basic principles of ethics and of justice.

13. Accordingly, the international community should take action through every available means in order to restore the dignity and the full exercise of the rights of the people of the occupied territories. The Palestinian people, who were persecuted with tenacious hatred even in exile, had paid dearly for the recognition of their inalienable rights to self-determination and to the establishment of their own independent State. During the lengthy colonial era, brute force had never succeeded in defeating the determination of oppressed peoples, and he trusted that, in the long run, Palestinian nationalism would also prevail.

14. Mr. CHEN CHARPENTER (Mexico) said that the United Nations had clearly stated its position with regard to the conditions that should prevail in the territories occupied by Israel since 1967 by reiterating the applicability of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and by adopting Security Council resolution 446 (1979). However, the report of the Special Committee contained information which confirmed the failure to comply with

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(Mr. Chen Charpenter, Mexico)

those decisions, which were binding in nature. There was clearly a tendency on the part of the occupying authorities to put pressure on the civilian population to abandon their homes and to emigrate, together with a policy of expulsion on other pretexts. More than 150 settlements had been established and more than 60 per cent of the land in the West Bank had passed into the hands of the authorities.

15. The discrepancy between the decisions of the United Nations and the events occurring in the Arab and Palestinian territories occupied since 1967 was the cause of grave concern. There was a trend towards using force whenever any military superiority existed and when unilateral advantages were expected to be obtained. Tension and violence had been growing in the Middle East, and one of the parties to the conflict was trying to impose solutions that required the political, and even the physical, elimination of the adversary. The capacity of the United Nations to act was limited by strategic, political and military considerations, which had prevailed over the need to defend fundamental principles and rights.

16. The international community should reject the occupation. There could be no justification whatever for conquest. In Mexico's opinion, the well-being of a people or the benefits of a political system could not be cited as valid reasons for domination. The United Nations must not abandon the search for a solution which would ensure that the Palestinian people ultimately exercised their inalienable right to self-determination.

17. Mrs. RUBIALES (Nicaragua) paid a tribute to the Special Committee for the work it had accomplished in reporting on the atrocious violations of human rights committed by the Zionist régime, which were comparable to those committed by the apartheid régime.

18. It was now absurd to hope that Israel would put an end to its massive violations of the rights of the Palestinians and the Arabs in the occupied territories, since it had demonstrated its total contempt for the countless resolutions adopted by the Security Council, the General Assembly and the non-aligned countries. The question of Palestine was a crucial part of the Middle East problem, and no partial solution could be accepted. Urgent measures must be adopted with a view to restoring all the inalienable rights of the Palestinian people, including their right to return to their homes, their right to self-determination and their right to establish their own independent State. The international community should oblige Israel immediately to withdraw its troops from all the Palestinian and Arab territories occupied since 1967, including Jerusalem. That required the political will of Israel, of the United States and of other countries which, in one way or another, supported the Zionist policy of aggression and expansion throughout the region.

19. The report submitted by the Special Committee showed that Israel was continuing to implement its policy of annexation and colonization and that the life of the civilian population was increasingly difficult as a result of measures which affected the freedom of the Palestinians and the Arabs. The endless list of violations contained in the report reflected Israel's Fascist alternatives: either to be a Zionist State that was free of Arabs or an apartheid State in which the

(Mrs. Rubiales, Nicaragua)

Arabs were relegated to subhuman status. It was strange that a nation which claimed to be the guardian of democracy and human rights throughout the world should applaud and encourage the activities of the Zionists and, while providing tied aid to the countries of the third world, should provide millions of dollars in military, nuclear and economic assistance to Israel, with the sole condition that it should be used to eliminate the Palestinian people, to harass the Arab nation and to serve imperialist interests in other parts of the world.

20. She pointed out that, in the past year, there had been an increase in the Israeli practices affecting the human rights of people in Central America. There had been an increase in war, in the traffic in arms to massacre those people and in practices of torture and terrorism which, for years, had been experienced only by the Palestinian people and by the Arab nation. Although Nicaragua had already been the victim of Zionist practices under the régime that had been allied with Israel, attempts were currently being made to regionalize the slaughter, thereby bringing Israeli practices to the entire Central American area.

21. The States Members of the United Nations had an obligation to denounce the practices and policies of the Zionist Government and urgently to take specific steps to put an end to them. Nicaragua, for its part, had welcomed the appeal of the Movement of Non-Aligned Countries that measures should be taken to establish a boycott in the diplomatic, economic, military and cultural areas and in the area of air and sea navigation, in accordance with Article VII of the Charter. In its opinion, the principle of the inadmissibility of the acquisition of territory by force authorized the adoption of measures to end the Israeli annexation, as a first step towards finding a solution to the Palestinian problem and to the Middle East conflict.

22. Mr. SHIHABI (Saudi Arabia) said that each year the Special Committee prepared a report on the basis of which the General Assembly adopted resolutions deploring Israel's unlawful practices. However, the occupation authorities paid no attention to resolutions; not only did they continue such practices but they adopted even more drastic ones each year. In such circumstances, it might seem that there was little else to do but despair and leave the way open for the rulers of Israel and their supporters to continue mercilessly to violate every legal rule, in particular the Geneva Convention Relative to the Protection of Civilian Persons in Time of War and the relevant resolutions of the United Nations. However, the Zionist Government was mistaken if it believed that despair and surrender would be the results it would obtain. Israel's conduct compelled the international community to stand firm in defence of the fundamental principles on which the United Nations and international law were based and without which there would be no possibility of peaceful coexistence and human relations.

23. The report of the Special Committee (A/38/409) depicted the severity of the tragedy which the Arab inhabitants of the occupied territories were suffering. There was only one conclusion to be reached, namely that Israel was determined to implement its Zionist design to expand its borders and evict the people living in the territories included in its plans. Israel was also determined to use every arbitrary, terrorist and discriminatory measure against the Palestinian inhabitants of the occupied Arab territories. The Israelis themselves had stated that one

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(Mr. Shihabi, Saudi Arabia)

could not annex one's own land but only the land of others, that Israeli sovereignty would eventually be extended to Judea and Samaria and that Israel had not taken land by conquest but had liberated it from countries which had conquered it in 1948, and that the lands in question were part of the territory of Israel. That was how they distorted history and paved the way for future crimes. The Israelis had been the invaders in 1948, and the question should be asked where they had been 30 years earlier.

24. The report of the Special Committee clearly described the arbitrary, terrorist and discriminatory measures taken by the Israeli authorities (paras. 353-372). According to an article appearing in the Jerusalem Palestine Weekly of 11 March 1983, what was happening in Nablus and other towns of the West Bank showed that an apartheid situation was taking shape; there were already two legal, judicial and administrative systems, one free for Israelis and one totalitarian for Arabs. Israelis enjoyed freedom of speech and publication, while Arabs did not; Israelis could move about freely, own property and settle anywhere they wished, while Arabs were restricted to certain places. That was exactly what had happened to the Jews in Tsarist Russia and what was now happening to blacks in South Africa. The Jews lived in a parliamentary republic, Arabs under the absolute authority of a military governor. The Jews lived in a state of law, more or less, and Arabs in a police state where they were exposed to the violence of private militias that took the law into their own hands, to illegal arrests, to the destruction of their homes, to the taking of their property and to the desecration of their holy places.

25. What was happening in the occupied Arab territories before the eyes of the whole world caused considerable harm to the United Nations, to the international community and to the dignity of every human being. In the end it would lead to the worst consequences for the Zionists themselves, as had befallen all racists in history. He appealed to the international community to adopt the appropriate resolutions and measures to put an end to such arbitrariness. Israel would not be deterred from pursuing its practices as long as it was in Jerusalem, the West Bank, the Gaza Strip and the Golan Heights, and it would not be deterred from such crimes as long as the Security Council failed to implement the provisions of the Charter of the United Nations.

26. Mr. ALSHAWKANI (Yemen) said that a perusal of the Special Committee's report (A/38/409) showed that the Israeli authorities were placing numerous obstacles in the way of the Committee and had prevented it from visiting the occupied territories despite the efforts of the Under-Secretary-General for Political and General Assembly Affairs. The report also highlighted the extent to which the Committee was dependent on articles appearing in Israeli publications as its main source of information.

27. The report contained references to the continuing deterioration of the situation in the occupied territories and the non-observance of the human rights of the civilian population as a result of Israel's pursuit of its annexationist policy, which was a violation of the principles of the United Nations Charter, the Fourth Geneva Convention of 1949 and the two Hague Conventions of 1899 and 1907, and reflected Israel's unparalleled arrogance.

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(Mr. Alshawkani, Yemen)

28. The rulers of Tel Aviv had annexed Jerusalem in 1980, the Golan Heights in 1981, and they were now aiming to annex by stages the West Bank and the Gaza Strip. Paragraphs 238 to 295 of section C of chapter IV of the report contained information on the annexationist policy of the Israeli authorities, which admitted that more than 60 per cent of the occupied territories had been annexed and that more than 150 settlements had been established. The establishment of settlements was part of a carefully planned conspiracy aimed at the efficient and effective annexation of the occupied territories, as indicated in paragraph 353 of the report and as evidenced in the various statements made by the Minister of Defense, Mr. Arens, and the current Prime Minister, Mr. Shamir.

29. Another very dangerous aspect of the annexationist policy was the creation of a vacuum as a result of the expulsion of the Arab inhabitants and their replacement by Jewish settlers, with the original inhabitants becoming a minority.

30. Paragraph 356 of the report referred to the specific measures taken by the occupation authorities to force the Arab population to leave their homes and property and to emigrate. In that connection, he referred to the expulsion of the mayors of Nablus and Ramallah, and more recently, of the mayor of Hebron.

31. With regard to education, the Israeli authorities had imposed restrictions on educational institutions, closed universities and instituted the censorship of books and publications. As a result of the promulgation of Military Order No. 854, 28 teachers had been expelled. It was likely that at any moment 20 teachers at the University of Bir Zeit would also be expelled.

32. Among the most serious facts mentioned in the report was the impunity with which acts of aggression were committed against the population of the occupied territories, with the support of Israeli officials, as evidenced by the attack on students of the Hebron Islamic University.

33. The representative of Israel had mentioned the magazines and periodicals published in the occupied territories, but had failed to refer to the censorship of those publications, the frequent closing down of publications, and the detention and imprisonment of Arab journalists.

34. The efforts of the United Nations in recent decades to eliminate colonialism, oppression and racism were truly praiseworthy and showed that attempts to impose colonialism and settlements in Palestine were doomed to failure, despite the political, economic and military support which Israel received from a handful of allies.

35. The Palestinian people were deeply convinced of the justice of their cause and considered that the magnitude of their tragedy called for immediate action. Such action should not be limited to renewing the mandate of the Special Committee and condemning Israeli practices, but should include the adoption of collective and effective measures to put an end to them.

36. Mr. Starčević (Yugoslavia) took the Chair.

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37. Mr. KOENTARSO (Indonesia) noted that the Special Committee had again distinguished itself in the discharge of its difficult mandate by presenting an exhaustive report on Israeli practices affecting the population of the territories occupied by Israel. The most recent report of the Special Committee confirmed the fact that the plight of the Arab inhabitants of the occupied territories had grown worse. The Israeli occupation authorities continued to pursue their goal of making life unbearable for the local population and forcing them to leave their homeland. However, the occupying Power's repressive policies and acts of brutality had met with even greater resistance from the Palestinians, who were prepared to sacrifice their lives to defend their national honour and human dignity.

38. As was apparent from the report, the Israelis made use of every possible pretext to bring about the annexation of the occupied territories; the settlements policy was their main vehicle for the attainment of that end. Israeli sources had confirmed that there were currently 163 settlements with a population of 36,000 in the occupied territories. The Israelis' ultimate objective was to establish settlements with a total of 1.3 million settlers in 60 per cent of the territory of the West Bank. To do that, they were seizing Arab lands under a host of arbitrary pretexts; when those methods failed, they denied the Arab population basic services. Such action was also aimed at undermining United Nations activities designed to improve living conditions under the occupation and shutting down the camps administered by the United Nations in the occupied territories. In that way, the Israelis hoped to destroy the Arab community's cohesion and its resistance to occupation.

39. To achieve those objectives, the military occupation authorities were using the most ruthless measures, including arbitrary arrest, the establishment of a Village Leagues Association, the demolition of houses and terrorist acts. Of particular importance were the measures adopted to prevent Arab students from exercising their right to education. Military Order No. 854, the closing of numerous schools, the case of 500 schoolgirls who had required hospitalization for symptoms of poisoning and the "judaization" process to which schoolchildren in the Golan Heights were subjected made it clear that the Palestinian inhabitants of the occupied territories had been subjected to increasingly humiliating and cruel treatment for 15 years. That grave situation made it imperative that the international community, through the United Nations, should take the necessary steps to put an end to the tragic plight of the Palestinians in the occupied territories, giving priority to the question of the withdrawal of Israel from those territories.

40. Mr. VIKIS (Cyprus) said that the report of the Special Committee reminded those who had forgotten of the suffering of the population of the occupied territories and of the violations of their human rights which were being committed. His delegation had noted with distress the worsening of the situation in the occupied Arab territories and observed that Israel continued to implement its policy of annexation, confiscate land from its lawful owners, curtail the exercise of the population's rights and freedoms, establish detention camps, and resort to collective punishments, threats and deportation.

(Mr. Vikis, Cyprus)

41. Statements such as the one made in the Israeli Parliament by the then Minister for Foreign Affairs and current Prime Minister, Mr. Shamir, who had said that Israel "did not conquer the territories from their legal owners, but liberated them from countries that conquered them in 1948. We have not 'annexed' them, and we shall not 'annex' them. They are part of Eretz Yisrael, and what is part of your country you do not annex" (A/38/409, para. 29), left no doubt as to Israel's true intentions concerning the occupied territories. The Israeli policy of annexing and colonizing the occupied territories by establishing settlements and changing the demographic structure violated the Charter of the United Nations and international law, specifically the Geneva Convention relative to the Protection of Civilian Persons in Time of War, article 49 of which specified that the Occupying Power might not "deport or transfer parts of its own civilian population into the territory it occupies".

42. The Government of Cyprus did not accept the occupation of territories by force or a policy of fait accompli. The occupation of a territory by military conquest and the changing of the legal status of an occupied territory could not be condoned. The Government and people of Cyprus had good reason to understand fully the situation of the inhabitants of the territories occupied by Israel, since Cyprus had been suffering for a decade from the evils of foreign military occupation. Israel's policies and tactics in the occupied Palestinian territories and those of Turkey in the northern part of occupied Cyprus were based on the same principles and followed the same patterns. Those countries did not respect the relevant resolutions of the General Assembly and the Security Council, thus undermining the very foundations of the United Nations; there was no point in the Security Council adopting resolutions if they could not be implemented. Israel and all occupying Powers must understand that they could not implement a policy of aggression, violate human rights and disregard the Charter of the United Nations and international law with impunity.

43. Mr. ABDULGHAFFAR (Bahrain) said that the report of the Special Committee showed that Israel continued to implement a policy of repression, violating the human rights of the Palestinians of the occupied territories and resorting to all kinds of intimidating measures to consolidate its hegemony. He wished to draw particular attention to one of those measures, Military Order No. 854, which required students who wished to pursue university studies to obtain the permission of the military occupation authorities and forced teachers to make the unacceptable pledge not to support the Palestine Liberation Organization.

44. With regard to the settlements policy, he wished to point out that, according to one study, nearly 60 per cent of the territory of the West Bank had been taken over for the establishment of Israeli settlements. The policy of annexation and colonization was not a random one. For decades, the Zionists had been postulating the annexation of Arab territory. Recently, a distinguished Palestinian intellectual had published an article in a Middle Eastern periodical citing a number of passages from a document which had been written by a leading Zionist theoretician and which had appeared in a Polish Zionist review in 1923. It could be seen from that article that as early as that period the Zionists had been affirming that Palestinians and Jews would never be able to reach agreement, and that, consequently, the Zionist movement would have to put into practice a policy

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(Mr. Abdulghaffar, Bahrain)

of occupying Palestinian territories by force. According to the same document, the occupation of Palestine could not be maintained without a firm alliance being forged with imperialism in order to receive economic and military support; the Palestinians had to be prevented from maintaining the hope of recovering their territory so that in time the more moderate elements would accept an agreement with the Zionists on terms imposed by the latter. It was obvious that that Zionist document had laid the theoretical groundwork for the policy which Israel had been implementing for some 40 years. The excellent report submitted by the Special Committee showed that Israel had persisted in that policy with greater enthusiasm, if that was possible, during the period covered by the report.

45. Mr. LEVIN (Israel) said that when Israel, responding to Egyptian and Jordanian aggression in June 1967, had moved into Judea, Samaria and the Gaza district, it had been taking possession of areas which had previously been illegally occupied and whose political status was that of "unallocated territory". With the single exception of East Jerusalem, which had been reunited with the rest of the city immediately after the 1967 war, Israel had altered neither the status of those areas nor that of their inhabitants. Israel's immediate goal in 1967 had been to restore normal life to those areas. A military administration had gradually taken shape which had recently been replaced by a civilian administration. Wherever possible, the administration had been guided by laws and practices predating 1967. The total opening of the borders separating those areas from Israel had removed a barrier which had stymied economic growth and social advancement for 19 years. Since that time, Israel's policies, financial aid and technical expertise had helped to stimulate unprecedented economic and social progress. As a result of the security situation and the open espousal of terrorism by elements in the Arab world, the residents did not enjoy personal and political freedoms to the extent that they would if the Arab States made a sincere attempt to achieve peace. However, the absence of a negotiated agreement on the final disposition of those areas had had little adverse effect on the factors which largely determined the quality of life for ordinary citizens, from food supply to the educational system. Israel's administration had also attached great importance to local participation and control at every level.

46. His delegation had presented to the Committee on numerous occasions a thorough analysis of the rule of law in the areas administered by Israel. It had stressed, in particular, the access of the inhabitants to lawful juridical process and to the High Court of Justice. Although the report of the Special Committee had recorded numerous petitions submitted by the inhabitants to the courts, it had been less than scrupulous in following up the cases cited to their conclusion, omissions which stemmed from the fact that the Committee was seeking to substantiate its allegations that satisfactory results were rarely achieved and that judicial recourse had not gone beyond temporary injunctions and similar dilatory remedies. Those statements were no more than premeditated lies for which there was no justification. The judicial system in Israel and in the territories under its administration had become a safeguard for the interests of the population. The judicial authorities were not subject to the discretion of any other authority. The actions of the Special Committee in that regard reflected its dishonesty and incompetence, as well as its subservience to the political ends which it had chosen to promote.

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(Mr. Levin, Israel)

47. Israel's military government had tried to ensure normal day-to-day life for the residents of the areas, who had enjoyed a degree of freedom previously unknown. Newspapers hostile to the military government and political assemblies protesting against its actions were permitted; freedom of movement between Israel and the areas under its administration was virtually unlimited. The Judea and Samaria Regional Commander, in Order No. 101, did not prohibit demonstrations, but made them conditional on obtaining a permit from the Government, which was the accepted practice in many States that fully respected civil and political rights. Therefore, political demonstrations such as those carried out at the Universities of Bethlehem, Bir Zeit and Al Najah had been permitted. Permission was not granted when it was evident from the request that the demonstration would lead to acts of incitement or propaganda which might endanger public order.

48. In practice, censorship was applied only with regard to texts which clearly incited to hatred and disorder. Despite the very liberal censorship system, the authorized newspapers in the Judea and Samaria region often failed to comply with the requirements of the Defence (Emergency) Regulations of 1945, which applied equally to all newspapers and journals in Israel. The supervision of books was designed to control the importation into the region of tendentious anti-Jewish material published abroad. During the 16 years of Israeli administration, the importation of only 1,100 such books, published in countries still in a state of war with Israel, had been prohibited; that figure represented a minute proportion of the more than 1 million books which had been imported.

49. Although the requirements of international law with regard to academic freedom were comparatively strict, Israel adopted a liberal attitude and did not exercise all its options. Under the 1967 Order concerning Powers in Educational Affairs, the Military Commander had assumed authority in the field of education in the Judea and Samaria region and with the encouragement and assistance of the Israeli authorities the scope of Arab education and culture had widened considerably. In comparison with the data for 1967-1968, the number of students in Judea and Samaria had increased by 96 per cent, educational personnel by 90 per cent, and the number of classrooms by 93 per cent. The educational system in Gaza had almost doubled in size since 1968.

50. Arab Governments had shown a great deal of hypocrisy with regard to higher education in the areas administered by Israel. Before 1967 no universities had existed in Judea and Samaria, where there had been only a few institutes of higher learning. At the current time in that area there were the Universities of Bir Zeit, Al Najah (Nablus) and Freres (Bethlehem) and the Al-Shariya Islamic College, in addition to academic institutions which provided programmes of higher education such as the Abu-Dis College of Sciences, the Holy Book College, the El Bireh Medical Aid College, the Hebron Polytechnic Institute, and the Islamic Studies Institute.

51. No vocational training had been available in Judea and Samaria before 1967; by the end of March 1983 there had been more than 50,000 graduates of the vocational training system (excluding the private educational system and the UNRWA educational network), comprising one fourth of the work force. It should be stressed that more than 99 per cent of the 10,878 persons employed in the educational system

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(excluding the teaching staff of institutions of higher learning) were drawn from the local population. The region's accelerated economic development, the absence of unemployment, the great demand for trained manpower, and the generous support of the Government of Israel had brought about major improvements in education. In 1967 there had been 223,561 pupils and in 1982 there had been 424,486. Israel was proud of those extraordinary achievements. It was understandable that Arab Governments could not forgive Israel for having done what they had so obviously neglected to do during the 19 years of Jordanian and Egyptian occupation. A typical complaint of the Arab Governments had been that education in the territories under Israel's administration was insufficient. The proposal to set up a university exclusively for refugees was in itself an aberration of the ideals and logic of education.

52. Forty-five per cent of the work force in Judea, Samaria and the Gaza district had been engaged in agriculture in 1967, a proportion which had decreased to 24 per cent in 1979. The opening up of the relatively high priced Israel food market had led to large increases in agricultural income. In 1980, for example, the income of self-employed farmers had increased by 20 per cent. Agricultural production had increased by 10 per cent annually (compared with 5 per cent in Israel). The land under cultivation had increased by 20 per cent.

53. Water utilization had increased from 5.4 million cubic metres to 14.6 million cubic metres between 1967 and 1979. Before 1967 industry had been minimal in Judea and Samaria and the Gaza district because the Governments of Jordan and Egypt had been more interested in the industrial development of their own countries. There had been virtually no roads, railways, electricity, telephones or water and there had been no human infrastructure (vocational training, technological experience, institutes for technology, etc.). Between 1967 and 1981, however, the annual growth in the industrial sector had been 6 per cent in Judea and Samaria and 14.2 per cent in the Gaza district.

54. Before 1967 the level of public health in Judea and Samaria had been very low because of the prevailing social and economic conditions. Epidemics and infant mortality had been common, particularly in the Gaza district, because of poor sewerage systems, overcrowding in refugee camps and lack of running water in homes. Hospitals, particularly in the Gaza district, had been poorly equipped and overcrowded.

55. Because of the severity of those health problems, the administration had undertaken a comprehensive programme of improvement with new hospitals, immunization programmes, health services, and so on. Infant mortality, which was currently at 28.3 per 1,000 live births in Judea and Samaria and 43 per 1,000 in the Gaza district, was far lower than in the Arab countries (where the rate ranged from 59 per 1,000 in Lebanon to 152 per 1,000 in Saudi Arabia). The World Health Organization, the International Red Cross and the United States Under-Secretary of Health, Education and Welfare had had the opportunity to observe the remarkable progress of health services in Judea and Samaria.

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56. In the field of housing, there had been a considerable increase in residential construction in Judea, Samaria and the Gaza district, which reflected an atmosphere of security among the population of that region. Between 1970 and 1982 the number of motor vehicles and drivers in Judea and Samaria and the Gaza district had likewise risen substantially.

57. The report of the Special Committee had for obvious political reasons sought to attack Israel's conduct in the matter of human rights. However, the concept of human rights went beyond the definition given by the Special Committee; in spite of the adverse political situation, which was due to circumstances beyond Israel's control, great advances had been made in Judea, Samaria and Gaza. The Special Committee had preferred not to make any reference to them but to seize on every rumour, every incident and every difficulty. A good example was the calumny of the alleged poisoning of school girls in the Jenin District at the end of March 1982. Although the report cited reliable evidence that the outbreak had been caused by psychogenic factors, it managed to leave a lingering suspicion that there was something more and that it had not been conclusively demonstrated that Israel was not at fault. The Special Committee studiously avoided referring to the articles which showed that Israel had been the innocent victim of a well-orchestrated exploitation of a minor incident. Paragraphs 236-237 gave a lengthy enumeration of incidents without explaining the obvious connection between the incitement which had provoked them and the resultant violence.

58. Moreover, it was essential not to lose sight of the nature and function of the Special Committee, which had been set up by the automatic anti-Israel majority in the Assembly; its reports did not respect reality, ignored everything positive and were based on misrepresentations, half truths and outright lies. It should also be borne in mind that Israel had not sought to conquer the territories now under its administration; yet for 16 years it had been sustaining a tremendous effort aimed at a steady improvement of conditions in Judea, Samaria and the Gaza district, despite constant provocations and pressures by Arab States and their paid surrogates, the terrorist organizations.

59. He recalled that there had been Jewish settlements in Judea and Samaria and the Gaza district before 1948; the Jewish presence in those areas had been uninterrupted save for periods such as that following the war of 1948, in which Jordan had expelled the Jews from them by force. The Government of Israel, by contrast, had not forced Arabs to abandon their home, their land, their culture or their heritage. In 1982 the Jewish population of Judea, Samaria and the Gaza district had totalled 23,000, in comparison with 1,187,000 Arabs. Between 1968 and 1981 the Israeli authorities had permitted 70,000 Arabs to enter Judea, Samaria and the Gaza district. In Judea and Samaria, the Jewish population represented 3 per cent of the total, and in Gaza 0.001 per cent.

60. There was also, of course, the overriding security consideration to be borne in mind; Israel had been faced with attacks and threats of annihilation for more than 36 years. The tiny Jewish population established in permanent settlements in Judea, Samaria and the Gaza district would do much to assure the security of the area against surprise attacks, such as that launched on Yom Kippur in 1973.

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61. His delegation had demonstrated that the work of the Special Committee was fundamentally political and anti-Israel, as well as illegal and malicious; Israel unreservedly rejected the allegations set forth in the Special Committee's report and the remarks of its Chairman. In spite of the chasm that divided Israel from the Arab States, Israel had demonstrated its material contribution to the well-being of the Palestinian Arabs in Judea, Samaria and the Gaza district.

62. Mr. SHERMAN (Liberia), speaking on a point of order, requested that the statement just made by the representative of Israel and the one he had made at the preceding meeting should be reproduced in extenso.

63. Mr. SHEHATA (Egypt) said that before the Liberian representative's proposal was accepted the opinions of the largest possible number of delegations would have to be heard. In his delegation's view, the statement made by the representative of Israel was not objective and departed completely from the item under consideration, not only because it referred to questions not covered by the item but also because it referred to events which had occurred before 1967. Therefore, his delegation opposed the proposal of Liberia and would vote against it if it was put to the vote.

64. Mr. BURAYZAT (Jordan) endorsed the remarks of the representative of Egypt. The statement of the representative of Israel was replete with calumnies and if the representative of Liberia had listened to it attentively he would have realized that such was the case and would not have requested that it should be reproduced in extenso.

65. The CHAIRMAN suggested that, as on earlier occasions, the adoption of a decision on Liberia's proposal should be deferred pending consultations with a view to reaching a consensus.

66. Mr. SHEHATA (Egypt) said that his delegation fully respected the suggestions of the Chairman of the Committee and his desire, as in the current instance, to reach decisions based on consensus. However, he would not participate in the consultations suggested by the Chairman and did not agree that the statement of the representative of Israel should be reproduced in extenso. Also, he would prefer that the largest possible number of delegations should express their views on the matter publicly and that the decision should be taken by a vote.

67. The CHAIRMAN appealed to the representative of Egypt to agree to participate in the consultations to be held with a view to reaching a consensus solution.

Draft resolution A/SPC/38/L.35

68. Mr. ABDALLA (Sudan) introducing the draft resolution in document A/SPC/38/L.35, explained the details of the kidnapping of Mr. Ziyad Abu Ein. In the draft resolution, of which Jordan and Syria had become sponsors, Israel was condemned for having kidnapped him, his immediate release was demanded, and the Secretary-General was requested to report on the implementation of the resolution.

69. Mr. LEVIN (Israel) said that the draft resolution which had just been submitted would not stand up to critical examination, and its sole purpose seemed to be to condemn Israel once again. For his part, he could affirm that the name of Ziyad Abu Ein did not appear on the list of the International Committee of the Red Cross delivered to the Government of Israel, that his release had not been requested and that he had not been kidnapped. He suggested that if the delegations of the Arab countries were not to be placed in an untenable position, consideration of the question should be deferred until it was possible to clarify certain points.

70. Mr. TERZI (Observer, Palestine Liberation Organization) said that according to information at his disposal, the name of Ziyad Abu Ein appeared on the list of the International Committee of the Red Cross. In any case, he proposed that consideration of the case should be deferred until the following day so that a representative of the International Committee of the Red Cross could attend the meeting of the Committee and inform it as to whether the name of Ziyad Abu Ein appeared on the list.

71. Mr. ABDALLA (Sudan) said that in view of the statement of the Observer for the Palestine Liberation Organization, he would agree, on behalf of the sponsors of the draft resolution, that consideration of the question should be deferred until the testimony of a representative of the International Committee of the Red Cross could be heard.

The meeting rose at 6.10 p.m.